

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 5

REMARKS

Claims 3-10 are pending in the instant application. Claims 3-10 have been rejected. Claims 8 and 10 have been amended. Support for these amendments is provided in the specification at page 3, lines 28-30, page 6, lines 14-15 and page 7, lines 8-9. No new matter is added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

I. Rejection of Claim 5-8 and 10 under 35 U.S.C. 102(b)

Claims 5-8 and 10 have been rejected under 35 U.S.C. 102(b) as being anticipated by Hough (U.S. Patent 3,974,564). The Examiner suggests that Hough discloses coating a beveled or square carbon steel blade with a hard coating of 60-75 Rockwell C.

Applicants respectfully traverse this rejection.

Arguments presented by Applicants that Hough et al. does not teach a coater or doctor blade but rather a shear type cutting tool with a pair of interconnected surface hardened steel cutting blades were not found convincing because the Examiner suggests that the intended use of the claimed invention must result in a structural difference between the claimed invention and prior art in order to

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 6

patentably distinguish the claimed invention from the prior art.

Accordingly, in an earnest effort to advance the prosecution of this case and to clearly distinguish the present invention from steel cutting blades such as taught by Hough et al., Applicants have amended the claims to include a structural difference of coater blades of the present invention, namely that they are packaged in a coiled roll. Support for this amendment is provided in the specification at page 6, lines 14-15 and page 7, lines 8-9 as well as page 6, lines 1 through 5 wherein the thickness of the bladed is taught to only range between 0.002 and 0.125 inches while the length is taught to range between 6 and 600 or more inches.

The prior art structure of Hough et al. is clearly not capable of being packaged in a coiled roll and therefore does meet all the structural limitations of the instant claimed invention. Thus this reference cannot anticipate the instant claimed invention. See MPEP 2131.

Withdrawal of this rejection under 35 U.S.C. 102(b) is respectfully requested.

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 7

II. Rejection of Claims 5-8 and 10 under 35 U.S.C. 102(a)

Claims 5-8 and 10 have been rejected under 35 U.S.C. 102(a) as being anticipated by White (U.S. Patent 6,633,739). The Examiner suggests that White discloses a beveled or square blade of carbon steel or stainless steel with a hard coating of up to 80 Rockwell C and a thickness of 0.1-4 microns disposed on the blade at elevated heating temperatures.

Applicants respectfully traverse this rejection.

As discussed in Section I, *supra*, claims of the instant application have been amended in accordance with teachings at page 6 and 7 of the instant specification to state that the coater blade is packaged in a coiled roll. White et al. does not teach a coater blade with this structural characteristic. Thus, this reference cannot anticipate the instant claimed invention. See MPEP 2131.

Withdrawal of this rejection is therefore respectfully requested.

III. Rejection of Claims 5, 8 and 10 under 35 U.S.C. 102(b)

Claims 5, 8 and 10 have been rejected under 35 U.S.C. 102(b) as being anticipated by Jones (U.S. Patent

Attorney Docket No.: DMBC-0007
Inventors: Harry C. Morris
Serial No.: 10/840,052
Filing Date: May 6, 2004
Page 8

3,944,443). The Examiner suggests that Jones discloses coating steel blades with a hard coating of up to 80 Rockwell C.

Applicants respectfully traverse this rejection.

Jones teaches ultra high temperature plasma gas reactions with various metal compositions to form extremely hard surfaces.

In contrast, the present invention relates to application of a separate protective layer which, as taught at page 3, lines 28-30, of the instant specification is preferably chromium, low phosphorus nickel or electroplated hard chrome.

In an earnest effort to advance the prosecution of this case and clearly distinguish the present invention from teachings such as Jones, Applicants have amended the claims to state that the blade has a protective layer of chromium, low phosphorus nickel or electroplated hard chrome.

Since Jones does not teach application of this type of protective layer, this reference cannot anticipate the instant claimed invention. See MPEP 2131.

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 9

Withdrawal of this rejection is therefore respectfully requested.

IV. Rejection of Claim 3-10 under 35 U.S.C. 103(a)

Claims 3-8 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad (U.S. Patent 4,970,560).

Claims 3 and 9 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lindblad (U.S. Patent 4,970,560) as applied to claims 3-8 and 10 and further in view of Calnan (U.S. Patent 3,490,314).

Claims 3-10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Calnan (U.S. Patent 3,490,314).

The Examiner suggests that Lindblad discloses plating a carbon steel blade with nickel-phosphorus of a thickness of about 5 microns and then heat treating to increase hardness of the coating to a hardness of 68-70 Rc.

The Examiner suggests that Calnan discloses that hard nickel-phosphorus coatings on blades can be deposited either electrolytically or electrolessly.

Applicants respectfully traverse these rejections.

MPEP § 2143 states that to establish a *prima facie* case of obviousness, three basic criteria must be met.

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 10

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references when combined must teach or suggest all the claim limitations. The cited combination does not meet these criteria.

As discussed in Section I, *supra*, claims of the instant application have been amended in accordance with teachings at page 6 and 7 of the instant specification to state that the coater blade is packaged in a coiled roll. Neither Lindblad nor Calnan teach or suggest a coater blade with this structural characteristic. Thus, neither Lindblad nor Calnan alone, nor the combination of Lindblad and Calnan, teach or suggest all the limitations of the instant claimed invention. Therefore these references cannot render *prima facie* obvious the instant claimed invention.

Withdrawal of these rejections is therefore respectfully requested.

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 11

v. Rejection of Claims 5-8 and 10 under 35 U.S.C. 103(a)

Claims 5-8 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. Patent 3,944,443). The Examiner has acknowledged that Jones differs from the invention of claims 6 and 7 in that Jones does not specify using beveled or square edge blades. However, the Examiner suggests that Jones does disclose using their process on blades of various shapes and that beveled or square edged blades are standard in the art. Thus, the Examiner suggests that it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the process of Jones to beveled or square edged blades.

Applicants respectfully traverse this rejection.

As discussed in Section III, *supra*, the claims have been amended to state that the protective layer of the coater blade is chromium, low phosphorus nickel or electroplated hard chrome. Jones does not teach or suggest a blade coated with this type of protective layer. Accordingly, this reference fails to teach or suggest all the limitations of the instant claimed invention as

Attorney Docket No.: **DMBC-0007**
Inventors: **Harry C. Morris**
Serial No.: **10/840,052**
Filing Date: **May 6, 2004**
Page 12

required to render the invention *prima facie* obvious. See
MPEP 2143.

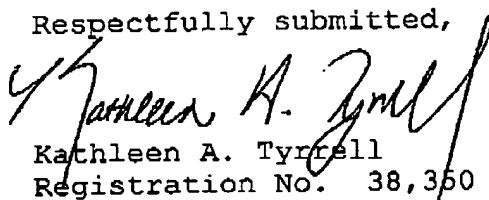
Withdrawal of this rejection is therefore respectfully
requested.

VI. Conclusion

Applicants believe that this submission overcomes all
pending rejections in this case and comprises a full and
complete response to the Office Action of record.

Accordingly, favorable reconsideration and subsequent
allowance of the pending claims is earnestly solicited.

Respectfully submitted,



Kathleen A. Tyrrell
Registration No. 38,350

Date: September 26, 2005

LICATA & TYRRELL P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515